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**Amendments to the Claims:**

1. (Currently Amended) A method of transfer of a call connection connecting a telecommunications base station and a mobile user terminal between dedicated channels in both directions therebetween and shared channels in both directions therebetween, comprising:

determining the amount of data buffered at the base station and the user terminal for transmission therebetween and/or the rate that data arrives at the base station and user terminal for transmission therebetween;

determining a value of a measured parameter of the signals between the base station and the user terminal, the parameter being signal attenuation or propagation delay; and

determining whether or not the shared channels operate such that an acknowledgement of receipt is sent on receiving data;

deciding to make the transfer, dependent upon said value and upon said amount or rate, to make the transfer; and upon said determination whether or not the shared channels operate such that an acknowledgement of receipt is sent on receiving data.

~~wherein the decision to transfer is made dependent also upon whether or not the shared channels operate such that an acknowledgement of receipt is sent on receiving data.~~

2. (Original) A method of transfer of a call connection according to claim 1, in which for a shared channel call connection, upon the parameter value being determined as being less than a predetermined threshold, transfer is made to dedicated channels.

3. (Original) A method of transfer of a call connection according to claim 1 or claim 2, in which for a dedicated channel call connection, upon the parameter value being determined as being more than a predetermined threshold, transfer is made to shared channels.

4. (Canceled)

5. (Original) A method of transfer of a call connection according to claim 1, in which the shared channels are a Random Access Channel (RACH) and a

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Forward Access Channel (FACH), the base station comprises a radio network controller, and the base station and user terminal operate to transfer the call connection in accordance with the Universal Mobile Telecommunication System (UMTS) standard.

6. (Currently Amended) A telecommunications system comprising a base station and a mobile user terminal, the base station and the user terminal being in use in call connection over dedicated channels or shared channels,

the base station comprising decision means, a channel allocator, and a processor,

the decision means being operative to control transfer of the call connection by the channel allocator between the dedicated channels and the shared channels dependent upon:

a first input signal to the decision means indicating the amount of data buffered at the base station and the user terminal for transmission therebetween and/or the rate that data arrives at the base station and user terminal for transmission therebetween; ~~and also dependent upon~~

a second input signal to the decision means indicating the value of a measured parameter of the signals between the base station and the user terminal, the parameter being signal attenuation or propagation delay, the parameter value being determined by the processor; ~~wherein the decision means is operative to control the transfer dependent also upon ; and~~

a third input signal to the decision means indicating whether or not the shared channels operate such that an acknowledgement of receipt is sent on receiving data.

7. (Original) A telecommunications system according to claim 6, in which in use, for a shared channel call connection, upon the parameter value being determined as being less than a predetermined threshold, transfer is made to dedicated channels.

8. (Original) A telecommunications system according to claim 6, in which in use, for a dedicated channel call connection, upon the parameter value being determined as being more than a predetermined threshold, transfer is made to shared channels.

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**9. (Canceled)**

**10. (Original)** A telecommunications system according to claim 6, in which the shared channels are a Random Access Channel (RACH) and a Forward Access Channel (FACH), the base station comprises a radio network controller and Node B, and the base station and user terminal operate to transfer the call connection in accordance with the Universal Mobile Telecommunication System (UMTS) standard.

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**Status of the Claims**

Claims 4 and 9 are canceled.

Claims 1-3, 5-8 and 10 have been rejected under 35 USC103(a) for obviousness over Winberg in view of Helmersson.

**Claim 1**

Claim 1 has been amended so as to clarify the distinction over the cited art. Claim 1 now requires:

“determining whether or not the shared channels operate such that an acknowledgement of receipt is sent on receiving data”

and

“deciding to make the transfer, dependent upon .... and upon said determination whether or not the shared channels operate such that an acknowledgement of receipt is sent on receiving data.”

Neither Winberg nor Helmersson teach or suggest, to paraphrase, these steps of (a) determining whether or not shared channels involve sending of acknowledgements and (b)deciding when to transfer between shared and dedicated channels dependent, among other things, on the result of determination (a).

It follows that claim 1 is patentable to the standard of USC 103(a) over the cited art.

The present invention according to amended claim 1 provides a useful approach. As indicated on present application page 6 lines 17 to 26, in some embodiments acknowledgements of receipt of data received constitute additional shared channel traffic. Switching to dedicated channels in consequence can advantageously improve efficiency by reducing the amount of such acknowledgement signalling, see also present application page 2 line 27 to page 3 line 5.

**Claims 2 to 3, 5**

Dependent claims 2, 3 and 5 are patentable not least on the basis that they each depend on an allowable independent claim 1.

**Claim 6**

Claim 6 has been amended broadly in line with claim 1 so as to clarify the distinction over the cited art. Amended claim 6 now requires:

“the decision means being operative to control transfer of the call connection by the channel allocator between the dedicated channels and the shared channels dependent upon;

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a first input signal to the decision means indicating the amount of data buffered at the base station and the user terminal for transmission therebetween and/or the rate that data arrives at the base station and user terminal for transmission therebetween;

a second input signal to the decision means indicating the value of a measured parameter of the signals between the base station and the user terminal, the parameter being signal attenuation or propagation delay, the parameter value being determined by the processor; and

a third input signal to the decision means indicating whether or not the shared channels operate such that an acknowledgement of receipt is sent on receiving data.”

Neither Wingberg nor Helmersson teach or suggest a third input signal to the decision means indicating whether or not the shared channels operate such that an acknowledgement of receipt is sent on receiving data.

Neither Wingberg nor Helmersson suggest decision means operate to control transfer of a call connection between dedicated and shared channels dependent upon, amongst other things, that third input signal.

It follows that claim 6 is patentable to the standard of USC 103(a) over the cited art.

**Claims 7, 8 and 10**

Dependent claims 7, 8 and 10 are patentable not least on the basis that they each depend on an allowable independent claim 6.